

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
TOWAKI KOMATSU,

Plaintiff,

- against -

UNITED STATES OF AMERICA, et al.,

Defendants.
----- X

DEARIE, District Judge*

ORDER

Case No. 21-CV-1838

In his letter of October 5, 2021, Plaintiff requests a free PACER account. To receive free access to PACER, Plaintiff must apply for a discretionary fee exemption. See Electronic Public Access Fee Schedule, <https://www.uscourts.gov/services-forms/fees/electronic-public-access-fee-schedule> (last visited Oct. 14, 2021). Plaintiff must demonstrate that he is unable to pay the access fee and that an “exemption is necessary in order to avoid unreasonable burdens.” Id. The Court will readily grant any application that meets this standard. His request for a free PACER account is denied at this time.

Plaintiff also asks to receive electronic communications from the Court. To receive electronic notifications, Plaintiff must submit the Pro Se Registration and Consent for Electronic Service of Orders and Notices form, available at <https://www.nyed.uscourts.gov/forms/pro-se-registration-and-consent-electronic-service-orders-and-notices-issued-court-civil-cases>. The form should be submitted to the Pro Se Office. Further instructions are available at <https://www.nyed.uscourts.gov/forms/instructions-pro-se-registration-and-consent-electronic->

* Hon. Raymond J. Dearie, United States District Court for the Eastern District of New York, sitting by designation.

[service-orders-and-notices-issued](#) or by calling the Pro Se Office at 718-613-2665. This request is denied at this time.

In his letter of October 12, 2021, Plaintiff asks the Court to issue an Order relating to litigation pending before Judge Caproni in the Southern District of New York. This request is denied. This Court has no authority to intervene in a matter before another judge. Plaintiff's letter of October 17, 2021 also asks the Court to take several other actions that it does not have the jurisdiction to do. First, the letter asks the Court to compel other federal judges to disclose their investment portfolios. Next, the letter asks the Court to take action related to a case pending before Judge Oetken. Finally, the letter asks the Court to order an investigation into another case, also involving Plaintiff, pending before Judge Ramos. Because this Court has no jurisdiction or inclination to oversee or intervene in the work of other federal judges, these requests are denied.

Plaintiff's October 17, 2021, letter asks the Court to take several actions related to Jonathan Hall, Jennifer Behrens, and Duke University, whom this Court dismissed as Defendants in this action on June 9, 2021. Because they are no longer parties to this case, none of the relief Plaintiff requests against them is proper. Additionally, as the Court noted in its October 4, 2021, Order, Plaintiff's interlocutory appeal pertaining to Hall, Behrens, and Duke is now pending before the Second Circuit. Thus, this Court has no jurisdiction to order the requested relief.

Several of Plaintiff's recent letters ask the Court to grant him immediate injunctive relief. Additionally, Plaintiff's October 17, 2021, letter asks the Court to compel Defendants to fund his travel expenses to Japan. Plaintiff makes these requests apparently on the assumption that his allegations against Defendants have been proven. However, no relief can be granted without Plaintiff proving his allegations. For this reason, Plaintiff's requests for immediate relief are denied.

Plaintiff is a prolific and insistent litigant whose many lengthy letters to the Court go far beyond the subject matter of the pending litigation and urge the Court to take action on the basis of his many allegations alone. Simply stated, it doesn't work that way. No matter how serious or strident, a plaintiff's allegations must be tested through the adversarial process. The Court has endeavored to move this case along as promptly as possible, despite the complexity of serving dozens of defendants. The Court anticipates that service will be completed shortly. To reiterate the timeline laid out in the Court's October 4, 2021, Order, once all Defendants have been served, the parties are invited to propose a briefing schedule for Defendants' anticipated motions to dismiss.

Finally, the Court extends its sympathies to Plaintiff for the loss of his father. The Court will remain mindful of Plaintiff's potential travels to Japan and will provide adequate notice and reasonable flexibility with all court deadlines, as requested.

The Clerk of Court is directed to mail a copy of this Order to Plaintiff.

SO ORDERED.

Dated: Brooklyn, New York
October 22, 2021

/s/ Raymond J. Dearie
RAYMOND J. DEARIE
United States District Judge
Sitting by Designation